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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/574,720	05/18/2000	Sean O'Hara	25216-820	9790

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SAN JOSE, CA 95125

EXAMINER

ZAMANI, ALI A

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 03/04/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/574,720

Applicant(s)

O'HARA ET AL.

Examiner

Ali A. Zamani

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 December 2002.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,5-8,10,12-20,22-26,28 and 30-43 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 5-8, 10, 12-20, 22-26, 28 and 30-43 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 5-6, 10, 12-20, 22-26, 28 and 30-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Danielson et al. (US Pat. No. 5,805,474) in view of Cox, Jr. et al. (US Pat. No. 6,462,760 B1) and further in view of Bertram (US Pat. No. 6,011,546).

In regard to claims 1, 5-6, 10, 12-20, 22-26, 28 and 30-43, Danielson et al. teaches a method for software control, comprising: displaying a graphical feature on a surface area of a touch-sensitive screen (col. 2, lines 59-67), the touch-sensitive screen being coupled to at least one processor (col. 8, lines 1-25) and the graphical feature being generated by an operating system; receiving a writing (col. 27, lines 57-66) on the surface area provided by a user; and controlling programming on the processor in response to the writing. Danielson et al. also teach controlling software which includes at least one logical decision of the software and receiving a writing on the surface area which comprises at least one character of an alphabet (see Fig. 31 and col. 27, lines 58-64) and when the writing is a sequence of impulses applied to the touch sensitive screen (Fig. 8, col. 13, lines 20-44) and at least one logical decision of the software includes a logical decision determining graphics presented to the user on the display screen (col. 27, lines 56-64). Danielson also teach controlling of the data which stored in the memory

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includes alternating data in the memory (col. 26, lines 49-64) and transmitting data by generating a RF. Danielson et al. substantially teach the above claimed limitations except for teaching “detecting a sequence of one or more contacts by a user-controlled object on the portion of the screen”. However, Cox, Jr. et al. teach a user interfaces, methods, and computer program products can converse space on a computer system screen by associating an icon with a plurality of operations, an icon’s visual appearance is used to associate the icon with a particular operation, and a graphical user interface (GUI) for operating a computer system can use a single icon to represent and provide access to a plurality of operations that otherwise may require several icons, which can consume valuable space on a computer system display or monitor and the user interfaces, methods, and computer program products may be particularly useful in small computer systems, such as laptop computers, handheld computers, palmtop computers (see the abstract) and the computer program instructions may also be loaded onto a computer or other programmable data processing apparatus to cause a series of operational steps to be performed on the computer or other programmable apparatus to produce a computer implemented process such that the instructions that execute on the computer or other programmable apparatus provide for implementing the functions specified in the flowchart block or blocks (see Figs. 4 and 5, col. 5, lines 25-65). Thus, it would have been obvious to one of ordinary skill in the art to utilize the user interfaces, method of Cox, Jr. et al. in the method of Danielson et al. to provide improved, user interfaces, methods, and computer program products that can converse space on a computer system display screen. The combination of Danielson-Cox, Jr. et al. fails to teach a “performing the particular action, wherein the particular action corresponds to transmitting data by generating a signal emanating the radiation emitter”. However, Bertram teaches a programming structure for

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user interfaces which enable interaction with a network such as the word wide web, in a consumer or PDA system, typically, such a system may be equipped with a modem and communications software such that, when connected to a public switched telephone network (PSTN), the system may be connected with a supporting server or mainframe and a user may gain access to desired data by generating a signal emanating from the radiation emitter (see Figs 7-9, col. 47, lines 4-16). Thus, it would have been obvious to one of ordinary skill in the art to utilize the programming structure of Bertram in the software control of Danielson-Cox, Jr et al. to provide an environment of use of a programming structure for such devices are handheld computer systems typically having limited memory capacity and screen display.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Danielson et al. -Cox-Bertram in view of Blixt (US Pat. No. 5,815,165).

In regard to claim 7-8, Danielson et al. are discussed above. Danielson et al. substantially teach the above claim limitation except for teaching the writing comprises a substantially "circular writing". However, Blixt teaches a graphic processor includes a general graphics processor (30) for converting general graphics instructions into a sequence of primitive pixel

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oriented instructions, a queue memory (30) for storing the primitive pixel oriented instructions related to graphical orientations such as drawing lines, poly lines, circles, writing text (col. 1, lines 50-60) generated by general graphics processor (30) (see the abstract). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to utilize the processor of Blixt in the software system of Danielson et al-Cox-Bertraum. to provide a method for storing graphic data and a circuit using the method which enables of a high-speed execution of dyadic and arithmetic operations on graphic data.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ali Zamani whose telephone number is (703) 308-6414. The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard A. Hjerpe, can be reached on (703) 305-4709.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, DC 20231

**or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Ali Zamani

February 20, 2003

A handwritten signature in black ink, appearing to read 'Richard Hjerpe', is positioned above the printed name and title.

RICHARD HJERPE  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600